

Docket No.: 4459-145

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	
Kuo Yuin LI	:	Confirmation No.5285
	:	
U.S. Patent Application No. 10/813,064	:	Group Art Unit: 2871
	:	
Filed: March 31, 2004	:	Examiner: DAVID Y. CHUNG
For: LCD TV AND PROJECTION-BASED BACKLIGHT SYSTEM USED THEREFOR		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

By Official Action mailed September 21, 2006, restriction to one of the following species of the claimed invention is required:

Species I: Claims 2-8, 18 and 21, drawn to a liquid crystal having a projection-based backlight system wherein the polarizing means comprises a polarization conversion element configured to receive the light beam from the light source and convert the light beam into a polarized light beam (Fig. 2)

Species II: Claims 9-11 and 19, drawn to a liquid crystal display having a projection-based backlight system wherein the polarizing means comprises an integrating sphere having an entrance aperture and an exit aperture defined thereon (Fig. 3)

Species III: Claims 12-17 and 20, drawn to a liquid crystal display having a projection based backlight system wherein the polarizing means comprises a polarizing beam splitter for separating input light into S-polarized light and P-polarized light (Fig. 4)

In response, Applicants hereby elect Species I (Fig. 2), upon which claims 1-8, 18 and 21 are readable. Claim 1 is generic as correctly noted by the Examiner in the Restriction Requirement. The non-elected claims remain pending in the instant application for rejoinder and consideration upon allowance of generic claim 1.

The election is made *with traverse* because the Examiner has failed to follow proper USPTO practice and procedure.

Every requirement to restrict has two aspects:

- (A) the reasons (as distinguished from the mere statement of conclusion) why each invention as claimed is either independent or distinct from the other(s); and
- (B) the reasons why there would be a serious burden on the examiner if restriction is not required, i.e., the reasons for insisting upon restriction. *See MPEP*, section 808 (emphasis added).

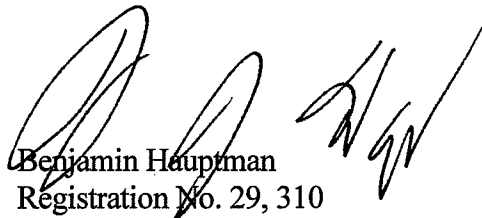
In this case, the Examiner has failed to meet at least requirement (B), i.e., the reasons why there would be a serious burden on the examiner if restriction is not required.

Accordingly, Applicants respectfully submit that the Restriction Requirement is not well grounded and should be withdrawn or rephrased.

In any event, early examination on the merits is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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